IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 11TH DECEMBER 2007 / 20TH AGRAHAYANA 1929

Crl.MC.No. 3677 of 2007()

CC.603/2003 of JUDL.MAGISTRATE OF FIRST CLASS-I, ERNAKULAM

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PETITIONER: ACCUSED

N.PUGAL NEELAM KUMRESWARAN,
PROPRIETOR, M/S.PUGAL & PUGAL, 34/331-B,
BEACH ROAD JUNCTION, NAGERCOIL-629 002.

BY ADV. SRI.J.JAYAKUMAR

RESPONDENTS: STATE AND DEFACTO COMPLAINANT

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1. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. M/S.HARRISON MALAYALAM LIMITED,
REGISTERED OFFICE, BRISTOW ROAD,
WILLINGDON ISLAND, KOCHI-682 003,
REP. BY ITS ACCOUNT ASSISTANT SAREESH.K.J.

BY P.P. SRI.M.S. BREEZ.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 11/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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Crl.M.C.No. 3677 of 2007

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Dated this the 11th day of December, 2007

O R D E R

There is no representation for the petitioner when the case is called after exhausting the list. Different was not the story when the case came up on 10.12.2007 also.

2. The petitioner is the accused in a prosecution under Section 138 of the N.I. Act. Towards the fag end of the case, the complainant had filed a petition under Section 311 Cr.P.C. to re-open the evidence. The same was allowed on terms. The petitioner is aggrieved by the direction to re-open the case and re-call the complainant for further examination. The learned Magistrate, by the impugned order, accepted the request of the complainant and allowed the said petitions - to re-open the case and re-call the complainant/PW.

3. I am called upon to invoke and exercise the extra ordinary inherent jurisdiction under Section 482 Cr.P.C. I find

no vice vitiating the impugned orders, which warrant or justify the invocation of such jurisdiction.

4. I am satisfied that this Crl.M.C. is without any merit and it is accordingly dismissed.

(R. BASANT)
Judge

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